

# UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TEXAS

**FILED**

**JUL - 8 2008**

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature]  
DEPUTY CLERK

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Ralph Douglas Vurgich Case Number: SA-02-CR-255-(1)-OG

Name of Sentencing Judicial Officer: Honorable Orlando L. Garcia, United States District Judge

Date of Original Sentence: October 9, 2003

Original Offense: Use of an interstate facility to induce a minor to engage in a sexual act, in violation of 18 U.S.C. § 2422(b)

Original Sentence: 57 months imprisonment; 3 years supervised release; \$100.00 special assessment; sex offender treatment & sex offender conditions

Type of Supervision: Supervised Release Date Supervision Commenced: November 7, 2006

Assistant U.S. Attorney: Michael Hardy Defense Attorney: Mr. Frank Goodlefsky

### PETITIONING THE COURT

- ☒ To issue a warrant  
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

1

"The defendant shall not associate with any child or children under the age of 18 except in the presence and supervision of an adult specifically designated in writing by the probation officer. The probation officer will notify the designated adult of risks occasioned by the defendant's criminal record or personal history or characteristics. The defendant shall permit the probation officer to make such notifications".

On July 3, 2008, Mr. Vurgich admitted playing with the children of Ms. Rachel Abrego. Mr. Vurgich could not recall specific dates, but indicated he also carried her 8 or 9 month old child. Additionally, he informed me Ms. Abrego and her three children (ages 11, 6 and 8 or 9 months) spent the night at his home. Mr. Vurgich also reported he has associated with her children at her parent's residence. Mr. Vurgich could not recall any specific dates when he was being questioned.

**Case History:**

On June 28, 2007, Mr. Vurgich advised that Mrs. Papa and her 15 month old child arrived at his home unannounced. He was instructed to not have contact with any minor and said he told her he could not be around children. Mr. Vurgich was verbally reprimanded and told he cannot have any association/contact with a minor under the age of 18.

On July 3, 2007, Mr. Vurgich was instructed to not have contact/association with Mrs. Darlene Papa due to her criminal record and allowing her 15 month old child to have contact with him.

At the time of sentencing, the condition of not associating with any child or children under the age of 18 was not recommended. Therefore, on July 10, 2007, Your Honor modified Mr. Vurgich's condition to include he not associate with any child or children under the age of 18 except in the presence and supervision of an adult specifically designated in writing by the probation officer.

Mr. Vurgich falsified his Monthly Supervision Report Form for November 2007 by reporting he was residing alone at his residence. However, he admitted on November 1, 2007, Mrs. Papa was residing four to five times a week at his residence. Additionally, Mr. Vurgich failed to follow the instructions of the probation office by having contact with Mrs. Papa who has a criminal record.

On November 28, 2007, Your Honor modified his condition to include the Home Confinement Program which included remote location monitoring using the Global Positioning Satellite System and to not associate or have contact with Mrs. Darlene Papa.

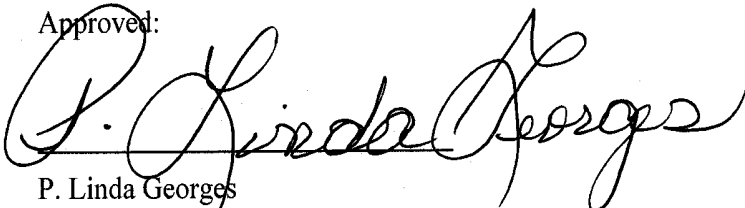
**U.S. Probation Officer Recommendation:**

Mr. Vurgich continues to violate the condition of not associating with children. He has been given a chance by being placed on the Home Confinement Program with Global Positioning Satellite System. Therefore, the United States Probation Office respectfully recommends a warrant be issued.

- ☐ The term of supervision should be
- ☐ revoked. (Maximum penalty: 2 years imprisonment; 3 years supervised release; and payment of any unsatisfied monetary sanction previously imposed)
- ☐ extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.
- ☐ The conditions of supervision should be modified as follows:

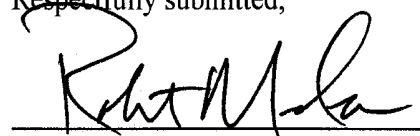
Assistant U.S. Attorney, Mr. Michael Hardy, concurs

Approved:



P. Linda Georges  
Supervising U.S. Probation Officer  
Telephone: (210) 472-6590, Ext. 313

Respectfully submitted,



Robert Morales  
U.S. Probation Officer  
Telephone: (210) 472-6590, Ext. 379  
Date: July 7, 2008

cc: Michael Hardy  
Assistant U.S. Attorney

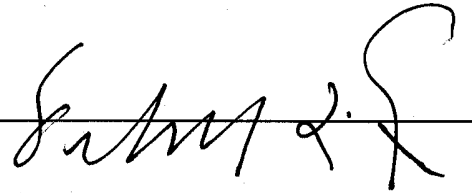
Victor A. Casillas  
Assistant Deputy Chief U.S. Probation Officer

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THE COURT ORDERS:

- ☐ No action.  
☒ The issuance of a warrant.  
☐ The issuance of a summons.  
☐ Other

ASAP



Honorable Orlando L. Garcia  
U.S. District Judge

7/8/08  
Date